

Remarks:

This amendment is submitted in an earnest effort to advance this case to issue without delay.

Transmitted herewith is a revised drawing identifying the abutment at 10, which numeral has been inserted into the Specification. No new matter whatsoever has been added.

The claims stand rejected on a combination of US 4,061,154 of Cox and Chinese 2381177.

Cox shows an umbrella and states that its parts can be made of plastic. CN '177 shows a standard metal umbrella having parts like those of the instant invention.

The instant invention as defined in the claims differs from the combined prior art in how it works. More particularly the umbrella according to the invention, as a result of the composition and construction of its parts, is set up so that, in the event of a wind gust or the like, there is only a sectoral inversion of the canopy, that is the entire umbrella does not invert, only a portion of its canopy, which is easily restored to the operative down position without any damage to it. In fact, for example, Cox describes in column 5, lines 34-45 how the entire canopy 50 can invert, something that is specifically excluded by the claim

language of the instant application: "only a sectoral inversion is possible" (claim 1, lines 13-14).

Hereto attached Exhibit A shows a prior-art umbrella when it inverts. Such inversion is invariably complete, that is once a part of the edge goes up, the entire umbrella inverts. With the system of this invention as shown in Exhibit B, however, it is possible for only a portion to invert, and it can be bent right back with no damage to the structure. Note how the braces lie along regions of the inverted portion to hold it stable.

Thus the instant invention is a combination of features that result in an operation that is clearly different from that of the combined art. Cox clearly shows and describes a structure where complete inversion is possible and even explains how inversion damages metal-frame umbrellas. CH '177 has the exact type of metal-frame umbrella described by Cox as being damaged by inversion and proves this by specifically building his structure so that it in theory cannot invert, with a heavily domed and downwardly prestressed canopy.

The result is that with the umbrella having the spring action defined in the claims it is possible for there to be a nondamaging sectoral inversion that is easily reversed. Nothing like this is shown or suggested in the cited art.

In other words the instant invention is not the simple replacement of metal with plastic, but also includes a different functionality, namely the sectoral inversion, that is nowhere

suggested in the art. Thus the claims are clearly allowable over the cited references. Notice to that effect is earnestly solicited.

If only minor problems that could be corrected by means of a telephone conference stand in the way of allowance of this case, the examiner is invited to call the undersigned to make the necessary corrections.

K.F. Ross P.C.

/Andrew Wilford/

by: Andrew Wilford, 26,597
Attorney for Applicant

20 August 2008
5683 Riverdale Avenue Box 900
Bronx, NY 10471-0900
Cust. No.: 535
Tel: 718 884-6600
Fax: 718 601-1099
Email: email@kfrpc.com

Enclosure:

Replacement Drawing (2 sheets)
Exhibit A (photograph of inverted prior-art umbrella)
Exhibit B (photograph of inverted inventive umbrella)